

By: Kolkhorst

S.B. No. 747

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on the issuance by the Railroad Commission of Texas of a permit for a commercial surface disposal facility located near a municipality.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 91, Natural Resources Code, is amended by adding Section 91.118 to read as follows:

Sec. 91.118. COMMERCIAL SURFACE DISPOSAL FACILITY PROHIBITED NEAR MUNICIPALITY. (a) In this section, "commercial surface disposal facility" has the meaning assigned by Section 91.116.

(b) The commission may not approve an application for a commercial surface disposal facility if any part of the site of the facility is located less than five miles from the corporate boundaries of a municipality.

SECTION 2. The change in law made by this Act applies only to an application for a permit that is filed with the Railroad Commission of Texas on or after the effective date of this Act. An application for a permit filed before the effective date of this Act is governed by the law in effect on the date of filing, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this
2 Act takes effect September 1, 2017.